

# TIPS...

## FOR YOUTH:

- KNOW your health rights and USE your health rights! REFER to this card when you visit your health care provider.

## FOR PROVIDERS:

- Help youth understand consent and confidentiality at the beginning of each visit.
- A youth is more likely to disclose sensitive information when he/she has time alone with the provider to discuss concerns.
- Even when the youth presents with a non-sensitive issue such as a headache, there may be underlying issues (ex. need for an STI screening) which may only surface if the youth is provided with confidential care.
- In most cases, for services under minor consent, access to a minor's records is only allowed with written consent of the minor.

*This card does not constitute legal advice or representation. Please visit [www.teenhealthlaw.org](http://www.teenhealthlaw.org) for more information. For additional copies of this card, please visit [www.ahwg.net](http://www.ahwg.net) or call 415.554.8429.*

**Adapted from National Center for Youth Law materials.  
[www.teenhealthlaw.org](http://www.teenhealthlaw.org) Revised 01/2011**

# California Minor Consent Laws



*This card provides a snapshot of CA laws.  
For more information please visit  
[www.teenhealthlaw.org](http://www.teenhealthlaw.org)*



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# CALIFORNIA MINOR CONSENT LAWS

Services youth can receive without permission from their parent/guardian		Can provider tell youth's parent/guardian?
<b>Birth Control</b> <i>Except Sterilization</i>	Minors of any age	<b>No</b>  Parental notification allowed only with consent of minor
<b>Pregnancy (Prev, Dx, Tx)</b> <i>Including inpatient care</i>	Minors of any age	
<b>Abortion</b>	Minors of any age	
<b>STIs, Contagious and Reportable Diseases (Dx &amp; Tx)</b>	Minors 12 yrs or older	
<b>HIV Testing</b>	Minors 12 yrs or older and assessed as competent to give informed consent	
<b>Sexual Assault Care</b>	Minors of any age	<b>Yes</b>  In most cases, an attempt to notify parent/guardian must be made. <sup>1,2</sup>
<b>Alcohol/Drug Counseling by Federally Assisted Treatment Program</b> <i>Including inpatient care</i>	Minors 12 yrs or older <sup>3,4</sup>	<b>No</b>  Parental notification allowed only with consent of minor
<b>Alcohol/Drug Counseling by Non-Federally Assisted Treatment Program</b>	Minors 12 yrs or older <sup>3,4</sup>	<b>Yes</b>  An attempt to notify parent/guardian must be made, except when provider believes it is inappropriate <sup>6</sup>
<b>Outpatient Mental Health Treatment</b>	Minors 12 yrs or older <sup>5</sup>	

<sup>1</sup> The law allows for some exceptions to parental/notification. These exceptions include suspecting the parent of assault and certain cases of rape.

<sup>2</sup> Sexual assault requires a child abuse report in which case youth should be advised that parents may be notified by law enforcement or child protective services.

<sup>3</sup> Parent/guardian can consent over the minor's objection.

<sup>4</sup> Parent/guardian consent is required for methadone treatment.

<sup>5</sup> In the opinion of the provider, the minor must be "mature" enough to participate intelligently.

<sup>6</sup> For services provided under new minor consent law, Health and Safety Code 124260, enacted 1/1/11, providers must consult with the minor before deciding whether to involve parents.

**Key:**

Pre= Prevention, Dx= Diagnosis,  
Tx= Treatment, STIs= Sexually Transmitted Infections

## DEFINITIONS

(w/ regard to minor consent)

**Confidentiality:** the provider can only share patient information with permission of patient. *Note:* Exceptions include reporting child abuse and insurance billing.

**Consent:** giving permission to receive health services; or giving permission to share patient information with others.

**Notification:** the provider is required to tell a minor's parent/guardian that he/she received a specific health service. *Note:* Notification does not mean access to medical records.

**Sexual assault:** for the purposes of minor consent alone, sexual assault includes but is not limited to acts of oral sex, sodomy, rape, and other violent crimes of a sexual nature that occur without permission.